

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

BECKTON, DICKINSON AND	)	
COMPANY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 21-833-CFC
	)	
BECKMAN COULTER, INC.,	)	
	)	
Defendant.	)	
	)	
	)	

**DECLARATION OF ADAM PAN**

I, Adam Pan, declare as follows:

1. I am an associate at the law firm of Williams & Connolly, LLP, counsel to Defendant Beckman Coulter, Inc. I respectfully submit this declaration in support of Beckman's Partial Motion to Dismiss for Failure to State a Claim Pursuant to Federal Rule of Civil Procedure 12(b)(6).

2. Attached hereto as **Exhibit A** is an excerpt of a true and correct copy of Warren J. Smith, *Modern Optical Engineering: The Design of Optical Systems* (2nd ed 1996), which is incorporated by reference by U.S. Patent No. 7,787,197 at column 8, lines 33-35.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Adam Pan

Adam Pan

WILLIAMS & CONNOLLY LLP

725 Twelfth Street, N.W.

Washington, D.C. 20005

(202) 434-5000

apan@wc.com

Dated: July 29, 2021